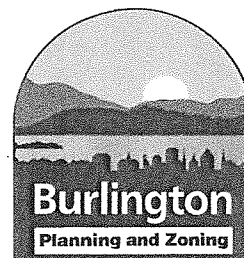



Department of Planning and Zoning

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Elsie Tillotson, Department Secretary



TO: Development Review Board
FROM: Scott Gustin 
DATE: October 18, 2011
RE: 12-0351CA/CU; 57 North Cove Road

Note: These are staff comments only; decisions on projects are made by the Development Review Board, which may approve, deny, table or modify any project. THE APPLICANT OR REPRESENTATIVE MUST ATTEND THE MEETING.

Zone: WRL Ward: 7

Owner/Applicant: Pauline LaFramboise

Request: Demolish existing single family home (flood damaged) and replace with new home.

Applicable Regulations:

Article 3 (Applications, Permits, & Project Reviews), Article 4 (Maps & Districts), Article 5 (Citywide General Regulations), Article 6 (Development Criteria & Guidelines), Article 8 (Parking)

Background Information:

The applicant is seeking approval to demolish an existing flood damaged single family home and replace it with a new single family home in the same location. No site work is proposed beyond modifying and elevating the foundation for the new home. Due to the property's location within the mapped Special Flood Hazard Area (SFHA), the new construction will be elevated to 103' above sea level (or higher); one foot above the 102' base flood elevation level. This application is subject to review under the SFHA regulations in addition to dimensional and design review standards. As required, the project is subject to review and approval by the State National Floodplain Insurance Program Coordinator at VT DEC. A copy of the application was provided to the Coordinator on September 28, 2011 but no response has yet been received. The Coordinator has 30 days to respond. Any comments received within the 30 day period will be incorporated into this approval.

The Conservation Board reviewed this project October 3, 2011 because of the property's location partially within a 100' wetland buffer. The Board found no adverse wetland impacts; however, the Board expressed concern about the suitability of the onsite septic system. The city has no jurisdiction over onsite septic systems. It is the applicant's responsibility to inquire with VT DEC Wastewater Division as to any necessary wastewater permits or approvals associated with the new home.

There are no previous zoning actions for this property.

Recommendation: Certificate of Appropriateness & Conditional Use approval as per, and subject to, the following findings and conditions:

I. Findings

Article 3: Applications and Reviews

Part 5, Conditional Use & Major Impact Review:

Sec. 3.5.6, Review Criteria

(a) Conditional Use Review Standards

1. The capacity of existing or planned community facilities;

The replacement home will not increase existing demands on community facilities. **(Affirmative finding)**

2. The character of the area affected;

The North Cove neighborhood consists of modest homes grouped together between the bike path and the Winooski River cove. The entire neighborhood is located within the SHFA. Most of the existing homes are elevated above 103'; however, the subject home to be demolished is not. The new home will be of comparable size to the existing home and will be elevated as required.

(Affirmative finding)

3. Traffic on roads and highways in the vicinity;

Traffic impacts will remain unchanged. **(Affirmative finding)**

4. Bylaws then in effect;

As conditioned, the project complies with all applicable bylaws. **(Affirmative finding)**

5. Utilization of renewable energy resources;

Not applicable.

6. Cumulative impacts of the proposed use;

Not applicable.

7. Functional family;

The proposed home will be subject to the functional family provisions of this criterion.

(Affirmative finding as conditioned)

8. Vehicular access points;

The property is served by an existing private driveway. This driveway will remain unchanged and will continue to provide adequate access to the residence. **(Affirmative finding)**

9. Signs;

Not applicable.

10. Mitigation measures;

Not applicable.

11. Time limits for construction;

No construction schedule has been proposed. Two years is the standard time frame for all zoning permits (1 year to start and another year to finish). **(Affirmative finding as conditioned)**

12. Hours of operation and construction;

Hours of operation are not applicable. Days and hours of construction are not specified and must be. Consistency with other projects in residential neighborhood entails limiting days and hours of construction to Monday – Friday, 8:00 AM – 6:00 PM and interior work only on Saturday during the same hours. No construction activity shall be permitted on Sunday. **(Affirmative finding as conditioned)**

13. Future enlargement or alterations;

In the event of future enlargement or alteration, permits would be required and reviewed under the regulations then in effect.

14. Performance standards;

Performance standards relating to outdoor lighting and erosion control are addressed under Article 5 of these findings.

15. Conditions and safeguards;

Approval of this project will be conditioned to implement the purposes of the zoning regulations. **(Affirmative finding)**

Article 4: Maps & Districts

Sec. 4.4.5, Residential Districts:

(a) Purpose

(2) Waterfront Residential Low Density (WRL)

The subject property is located in the WRL zone. This zone is intended primarily for low density residential development in the form of single detached dwellings and duplexes with consideration given to design review. The proposed single family home is consistent with this intent.

(Affirmative finding)

(b) Dimensional Standards & Density

The 1 residential unit on the 11,199 sf lot is acceptable (7 units/acre in the WRL).

The new home will be placed in the same location as the existing home, albeit with a smaller footprint. Front, rear, and the southern side yard setbacks remain compliant. The northern side yard setback is nonconforming (5' from the line, whereas 7.5' is required). Given that existing structure is being demolished as the result of a catastrophe, the new home may utilize the existing 5' setback (per Sec. 5.3.8, *Rebuilding After Catastrophe*).

The proposed building would be 12' tall to the midpoint of the rise of the gable roof. This height is well below the 35' maximum permissible in the WRL zone.

With the smaller building footprint of the new home, lot coverage will decrease from 33.8% to 28.7%. **(Affirmative finding)**

(c) Permitted & Conditional Uses

The proposed single family home is a permitted use in the WRL zone. **(Affirmative finding)**

(d) District Specific Regulations

1. Setbacks

No driveway or waterfront setback encroachments are being sought. **(Not applicable)**

2. Height

No height bonuses are being sought. **(Not applicable)**

3. Lot Coverage

No lot coverage bonuses are being sought. **(Not applicable)**

4. Accessory Residential Structures and Uses

No new accessory structures are proposed. **(Not applicable)**

5. Residential Density

Occupancy of the single family home is subject to the functional family provisions of the Comprehensive Development Ordinance. **(Affirmative finding as conditioned)**

6. Uses

No neighborhood commercial use is included in this proposal. **(Not applicable)**

7. Residential Development Bonuses

No development bonuses are being sought. **(Not applicable)**

Sec. 4.5.4, Natural Resource Protection Overlay District:

(a) District Specific Regulations: Special Flood Hazard Area

(7) Special Review Criteria

A. The danger to life and property...

The new home will have a slightly smaller footprint than the existing home. It will be constructed on a slab foundation elevated to at least 103' above sea level; one foot above the 102' base flood elevation. The modified foundation within the SHFA will have no impact on flood heights or velocities. **(Affirmative finding)**

B. The danger that material may be swept onto other lands...

As noted above, the new home will be constructed on a concrete slab foundation elevated to at least 103' above sea level. The habitable area of the home will be constructed above the slab. In addition, flood velocities are typically not problematic in this neighborhood. Flood waters rise and then fall. Velocity is a danger within the floodway that follows the river corridor. There is little danger that the new house will be swept off of its foundation. **(Affirmative finding)**

C. The proposed water supply and sanitation systems...

Like the existing home, the new home will be served by municipal water. It will also be served by a private onsite septic system. This system was upgraded six years ago. The Conservation Board had questions about the septic system; however, the applicant was not present to address those questions. The State of Vermont has universal jurisdiction over wastewater permitting unless the municipality has requested delegation of permitting responsibilities. Burlington has not requested such delegation. Therefore, the applicant must contact VT DEC Wastewater Division to inquire as to what permits or approvals may be required for the new home. **(Affirmative finding as conditioned)**

D. The susceptibility of the proposed facility and its contents to flood damage...

The proposed home will be elevated to avoid flooding damage like that sustained by the existing home. The base flood elevation is 102' above sea level. New structures must be elevated to at least 103'. As noted previously, the new home will comply with this requirement. **(Affirmative finding)**

E. The importance of the services provided...

The proposed work will result in the retention of a residence within the city limits. **(Affirmative finding)**

F. The availability of alternative locations...

The entire property is located within the SFHA. Building within the SHFA is acceptable as long as the requirements of this subsection (4.5.4, a, 7) are met. **(Affirmative finding)**

G. The compatibility of the proposed use with existing development...

The new home will replace an existing home in an established neighborhood. The new home is compatible with the existing neighborhood in terms of size and use. Like most of the other homes in the neighborhood, the new home will be elevated to avoid future flood damage. **(Affirmative finding)**

H. The relationship of the proposed use to the Municipal Development Plan...

Insofar as single family homes are a permitted use in the WRL zone, and insofar as the new home will be elevated as required, the new home can be found in compliance with the Municipal Development Plan. **(Affirmative finding)**

I. The safety of access to the property...

The property is just under the 102' contour line. As a result, only the most significant floods result in inundation of the yard and driveway. When inundation occurs, it is generally a matter of inches to a couple of feet. Emergency vehicle access to this, and other properties, during times of flooding is via the bike path. **(Affirmative finding)**

J. The expected heights, velocity, duration, rate of rise...

The maximum regulatory flood elevation along the lakeshore is 102' above sea level. The new home will be elevated to at least 103'. The velocity of flood waters along the cove is not problematic. Water is more or less stationary as it rises and falls. The duration of flooding and the rate of its rise depend entirely on spring snowmelt and precipitation events. The lake has risen above 102' just once on record (spring 2011). Sediment transport at the mouth of the Winooski River is substantial and may be especially damaging to flooded buildings. The proposed home will be elevated as required and will have no impact on flood height, velocity, duration, rate of rise, or sediment transport. **(Affirmative finding)**

K. Conformance with all other applicable requirements...

See Articles 4, 5, and 6 of these findings.

(d) District Specific Regulations: Wetland Conservation Zone

(6) Criteria for Review

The subject property is located some 80' from a mapped wetland on the other side of the bike path. As a result, it is located partially within the 100' wetland buffer zone; however, as confirmed by

the Conservation Board on October 3, 2011, wetland impacts are insignificant. **(Affirmative finding)**

Article 5: Citywide General Regulations

Sec. 5.2.3, Lot Coverage Requirements

See Sec. 4.4.5 (b) above.

Sec. 5.2.4, Buildable Area Calculation

Not applicable.

Sec. 5.2.5, Setbacks

See Sec. 4.4.5 (b) above.

Sec. 5.2.6, Building Height Limits

See Sec. 4.4.5 (b) above.

Sec. 5.2.7, Density and Intensity of Development Calculations

See Sec. 4.4.5 (b) above.

Sec. 5.5.1, Nuisance Regulations

Nothing in the proposal appears to result in creating a nuisance under this criterion. **(Affirmative finding)**

Sec. 5.5.2, Outdoor Lighting

Exterior lighting fixtures are depicted on the building elevations. They appear to be typical residential fixtures by the two doorways; however, cutsheets are needed in order to provide the required details. **(Affirmative finding as conditioned)**

Sec. 5.5.3, Stormwater and Erosion Control

The very limited earthwork associated with this proposal is not enough to trigger the need for an erosion control plan. **(Not applicable)**

Article 6: Development Review Standards

Part 1, Land Division Design Standards

Not applicable.

Part 2, Site Plan Design Standards

Sec. 6.2.2, Review Standards

(a) Protection of important natural features

Except for a couple of trees onsite, there are no important natural features on the subject property. No tree removal is included in this proposal. **(Affirmative finding)**

(b) Topographical alterations

No topographical alterations are proposed. Only the foundation on which the new home will be placed will be increased in height. **(Affirmative finding)**

(c) Protection of important public views

There are no important public views from or through this property. **(Affirmative finding)**

(d) Protection of important cultural resources

There are no known archaeological resources on the property. Neither the subject property nor the neighboring properties contain historic structures. **(Affirmative finding)**

(e) Supporting the use of alternative energy

There is no indication that the proposed home will utilize alternative energy. The project will not adversely impact the actual or potential use of alternative energies by neighboring properties. **(Affirmative finding)**

(f) Brownfield sites

Not applicable.

(g) Provide for nature's events

There is ample room onsite for winter snow storage. See Sec. 5.5.3 for stormwater and erosion control. **(Affirmative finding)**

(h) Building location and orientation

The replacement home will maintain the existing development pattern and rhythm of structures along the road. It will be placed essentially in the same location as the existing home. The front door will face the street and is readily visible. A side door will face the driveway. The existing detached garage remains behind the primary residential structure. **(Affirmative finding)**

(i) Vehicular access

An exiting private driveway will provide access to the new home. **(Affirmative finding)**

(j) Pedestrian access

There is no sidewalk along North Cove Road (a private road). Therefore, a walkway from the front entrance to a public sidewalk is not required. Pedestrians may use the driveway to access the road. **(Affirmative finding)**

(k) Accessibility for the handicapped

No handicap accessibility is evident or required with this proposal. **(Affirmative finding)**

(l) Parking and circulation

Parking and circulation remain unchanged. The driveway provides access to the detached garage. **(Affirmative finding)**

(m) Landscaping and fences

Existing trees will be retained. No new landscaping or fencing is proposed. **(Affirmative finding)**

(n) Public plazas and open space

No public plaza or open space is included or required in this proposal. **(Affirmative finding)**

(o) Outdoor lighting

See Sec. 5.5.2.

(p) Integrate infrastructure into the design

New utility lines shall be buried. If proposed, an above-ground heating fuel tank must be depicted on the site plan and screened. It may not be placed in front of the building. **(Affirmative finding as conditioned)**

Part 3, Architectural Design Standards

Sec. 6.3.2, Review Standards

(a) Relate development to its environment

1. Massing, Height, and Scale

The replacement home will be very similar in massing, height, and scale to the existing home. Both are single story buildings with gable roofs. Both are very modest in terms of size and detailing. The new home is a slight departure from the existing home and remains compatible with neighboring homes. **(Affirmative finding)**

2. Roofs and Rooflines

A simple gable roof with a modest pitch is proposed. It is acceptable for this new single family home. **(Affirmative finding)**

3. Building Openings

The front entrance is modest but clearly articulated. Appropriately scaled double hung windows are proposed on three of the four building elevations. The north elevation is blank and should incorporate at least one window so as to avoid presenting a blank façade to the neighboring property (see also criterion “d” below). **(Affirmative finding as conditioned)**

(b) Protection of important architectural resources

There are no historic structures on or near the subject property. **(Affirmative finding)**

(c) Protection of important public views

See 6.2.2 (c) above.

(d) Provide an active and inviting street edge

The new home will exhibit nearly the same street presence as the existing home. The front entry is basic but clearly articulated. Windows are incorporated into the front façade on both sides of the entrance. Only the north façade lacks any windows. This criterion stipulates that blank building walls shall be avoided. As noted above, at least one window should be installed in the north elevation. **(Affirmative finding)**

(e) Quality of materials

The proposed home will be clad in vinyl siding with asphalt shingle roofing. Window materials are not noted and must be. The proposed siding and roofing materials, while not of especially high quality or durable, are acceptable for this new single family home. **(Affirmative finding as conditioned)**

(f) Reduce energy utilization

The proposed building must comply with the city’s current energy efficiency standards. **(Affirmative finding as conditioned)**

(g) Make advertising features complimentary to the site

No advertising is included in this proposal.

(h) Integrate infrastructure into the building design

Utility meters are not depicted on the building elevations and must be. Screening is required.

(Affirmative finding as conditioned)

(i) Make spaces safe and secure

The proposed building must comply with the city's current egress requirements. Building entries will be illuminated. **(Affirmative finding as conditioned)**

II. Conditions of Approval

1. **Prior to release of the zoning permit**, revised plans shall be submitted subject to staff review and approval. Revised plans shall include:
 - a. Exterior lighting fixture cutsheets;
 - b. Outdoor heating fuel tank, if proposed (shall not be located in the front yard);
 - c. At least one window in the north elevation; and,
 - d. Utility meter locations and screening.
2. A State of Vermont wastewater permit may be needed. It is the applicant's responsibility to contact VT DEC Wastewater Division about the septic requirements that may apply to this project.
3. Days and hours of construction shall be limited to Monday – Friday, 8:00 AM – 6:00 PM and interior work only on Saturday during the same hours. No construction activity shall be permitted on Sunday.
4. This approval incorporates timely comments and stipulations issued by the State National Floodplain Insurance Program Coordinator at VT DEC as related to this project.
5. Utility lines shall be buried.
6. Occupancy of the single family home is subject to the functional family provisions of the Comprehensive Development Ordinance.
7. The Applicant/Property Owner is responsible for obtaining all necessary Zoning Permits and Building Permits through the Department of Public Works as well as other state or federal permit(s) as may be required, and shall meet all energy efficiency codes as required.
8. Standard permit conditions 1-18.

57 North Cove Rd



40 20 0 40 Feet



Bike Path

→→

← 75' →

← 32' →

Existing
Garage

↑
28'
↓

Existing
Driveway

Existing
Footprint

← 36' →

New
Footprint

↑
24'
↓

← 44' →

← 145' →

5' setback

← 30' →

North Cove Rd.

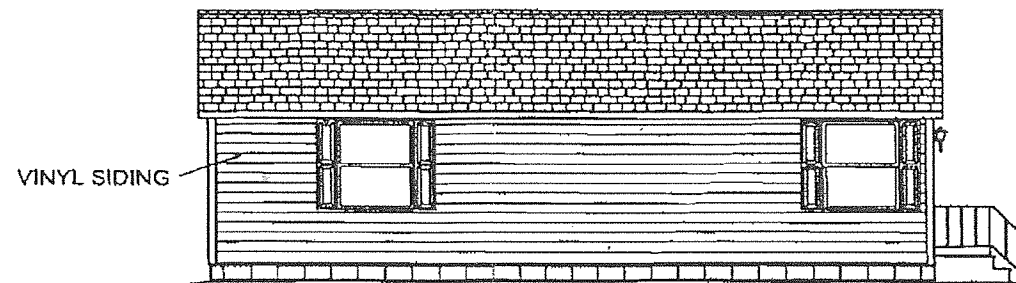
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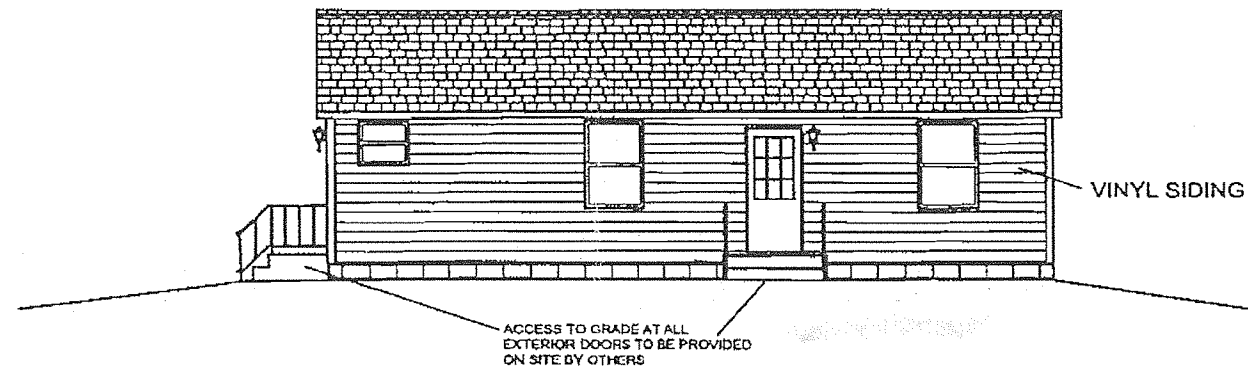
SEP 26 2011

DEPARTMENT OF
PLANNING & ZONING

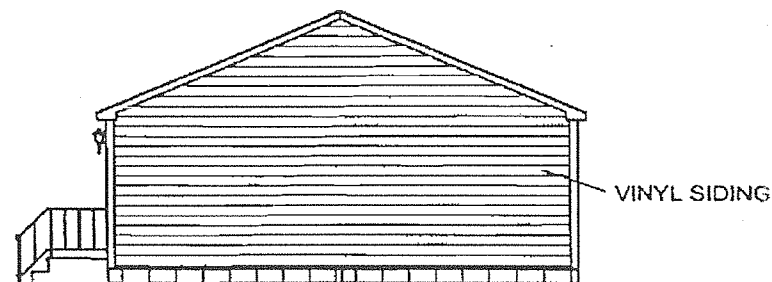
FRONT
ELEVATION



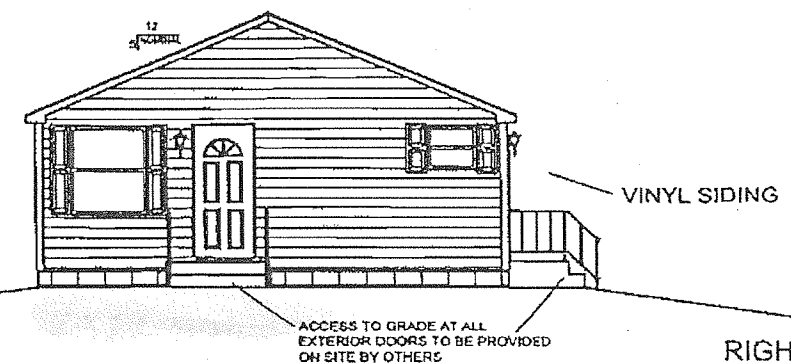
REAR
ELEVATION



LEFT
ELEVATION



RIGHT
ELEVATION



Redman Homes
BY THE NEW
CHAMPION
Home Builders, Inc.
(Plant #122)
101 GARDEN SPOT RD. EPHRATA, PA 17522

APPROVER'S SEAL

MODIFICATIONS

MODEL: 122-B-485
ELEVATION ONLY

SHEET:

TITLE: ELEVATION PLAN

EV-101

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DRAWN BY: STAFF

DATE: 09-23-11

SCALE: 3/32" = 1'-0"

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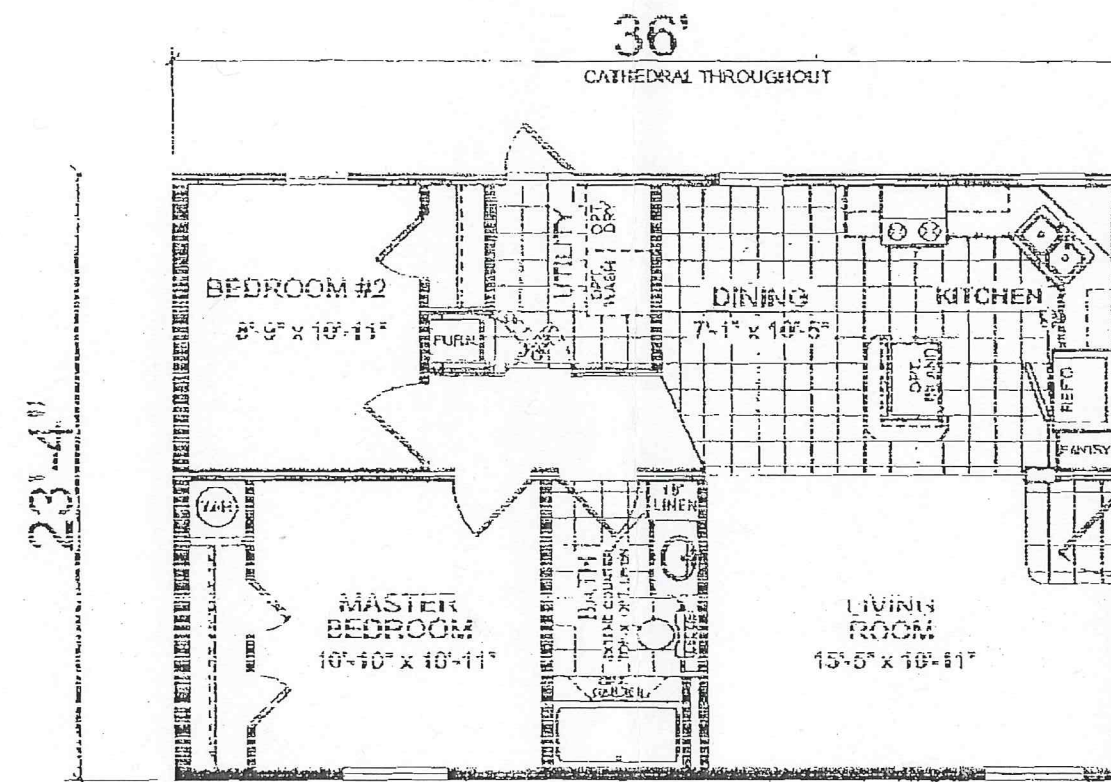
DEPARTMENT OF
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SEP-27-2011 11:46

REDMAN HOMES

717 738 3443

F.008



MODEL 122-B-485
2 BEDROOM, 1 BATH
NOMINAL SIZE: 24' x 40'
TOTAL AREA: 840 SQ. FT.

<p>Redman Homes BY TERNEX CHAMPION Home Builders, Inc. (Plant #122) 501 GARDEN SPOT RD. EPHRATA, PA 17522</p>	<p>APPROVER'S SEAL</p>	<p>MODIFICATIONS</p> <p>1. ADD LEDGE TO ENTRY & MATH WALL</p> <p>10.14.10</p>	<p>MODEL: 122-B-485/0584</p>	<p>SHEET:</p>
			<p>REDMAN</p>	<p>L-101</p>
			<p>TITLE: LITERATURE PLAN</p> <p>DRAWN BY: STAFF DATE: 05-12-09</p> <p>SCALE: 1/8" = 1'-0"</p>	<p>REV. A</p>

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